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13 Attorneys for Defendants
14 WELLS FARGO BANK, N.A.; WELLS FARGO &
COMPANY

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA – OAKLAND DIVISION
17

18 MONTE RUSSELL, on behalf of
19 himself and others similarly situated,

20 Plaintiff,

21 vs.

22 WELLS FARGO & COMPANY,
23 Defendants.
24

CASE NO. C 07-03993 CW

JUDGE CLAUDIA WILKEN
COURTROOM 2

**STIPULATION RE EXTENSION
OF BRIEFING SCHEDULE ON
PLAINTIFF'S MOTION TO
STRIKE OR INVALIDATE RULE
68 OFFERS; ~~PROPOSED~~ ORDER
APPROVING EXTENSION**

25
26 Plaintiff Monte Russell ("Plaintiff") and Defendants Wells Fargo Bank, N.A.
27 and Wells Fargo & Company ("Defendants"), through their respective counsel,
28 pursuant to Local Rule 6-2, hereby stipulate as follows:

1 WHEREAS, on September 11, 2008, Plaintiff filed a Notice of Motion and
2 Motion to Strike or Otherwise Invalidate Defendant's Rule 68 Offers of Judgment
3 ("Motion");
4

5 WHEREAS, on September 30, 2008, Plaintiff filed an Amended Notice of
6 Motion and Motion to Strike or Otherwise Invalidate Defendant's Rule 68 Offers of
7 Judgment, setting the hearing date on the Motion for December 11, 2008;
8

9 WHEREAS, on November 20, 2008 this Court approved the parties'
10 stipulation seeking a continuation of the hearing date to January 8, 2009;
11

12 WHEREAS, on December 23, 2008, this Court approved the parties'
13 stipulation seeking a continuation of the hearing date to February 19, 2009;
14

15 WHEREAS, Defendants' response to the Motion is due on Thursday,
16 January 29, 2009;
17

18 WHEREAS, the parties are continuing to engage in extensive and thorough
19 settlement negotiations and have halted discovery and other litigation pending
20 settlement negotiations; and
21

22 WHEREAS, the parties wish to conserve their and the Court's resources in
23 the event that a settlement is reached.
24

25 NOW, THEREFORE, through their respective counsel, THE PARTIES
26 HEREBY STIPULATE AS FOLLOWS:
27
28

1 1. The hearing on Plaintiff's Motion is continued from February 19,
2 2009, to March 5, 2009, at 2 p.m.

3
4 2. The deadline for Defendants to file a response to Plaintiff's Motion
5 shall be measured from the continued hearing date.

6
7 DATED: January 28, 2009

LARSON KING, LLP
T. JOSEPH SNODGRASS
KELLY A. SWANSON

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9
10 By: /s/ T. JOSEPH SNODGRASS
 T. JOSEPH SNODGRASS

11
12 Attorneys for Plaintiff
13 MONTE RUSSELL

14
15 DATED: January 28, 2009

HODEL BRIGGS WINTER LLP
GLENN L. BRIGGS
THERESA A. KADING

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17
18 By: /s/ THERESA A. KADING
 THERESA A. KADING

19
20 Attorneys for Defendants
21 WELLS FARGO BANK, N.A.; WELLS FARGO
22 & COMPANY

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 1/30, 2009

A handwritten signature in blue ink, appearing to read "Claudia Wilken", with a long horizontal flourish extending to the right.

CLAUDIA WILKEN
DISTRICT COURT JUDGE